

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:11CV452-MOC-DSC**

AMANDA BLOUNT,)
)
 Plaintiff,)
)
 v.)
)
 CARLSON HOTELS, INC. (aka)
 CARLSON HOTELS, AMERICAS) and)
 formerly operating under the corporate)
 name CARLSON HOTELS)
 WORLDWIDE, INC., COUNTRY INN)
 & SUITES BY CARLSON, INC.,)
 & CEVINA, LLC & CHIMAN V.)
 PATEL, in his Individual and Official)
 Capacity,)
)
 Defendants.)
 _____)

MEMORANDUM AND ORDER

THIS MATTER is before the Court on “Motion to Dismiss Plaintiff’s First Amended Complaint (as corrected) of Defendants Cevina, LLC and Chiman V. Patel,” Doc. 31, filed December 16, 2011, and “Motion to Dismiss Plaintiff’s First Amended Complaint (as corrected) of Defendant Country Inns & Suites by Carlson, Inc.,” Doc. 33, filed on December 16, 2011 and the parties’ associated briefs and exhibits, Docs. 37 and 39.

This matter was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1).

On January 3, 2012, the Court issued a “Memorandum and Order,” Doc. 36, granting “Plaintiff’s Second Motion to Amend Complaint and First Motion to Amend Summons, Doc. 29. On January 5, 2012, Plaintiff filed “Plaintiff’s Second Amended Complaint,” Doc. 38.

It is well settled that an amended pleading supersedes the original pleading, and that motions

directed at superseded pleadings are to be denied as moot. Young v. City of Mount Ranier, 238 F. 3d 567, 573 (4th Cir. 2001) (amended pleading renders original pleading of no effect); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motion to dismiss original complaint on grounds that amended complaint superseded original complaint).

IT IS HEREBY ORDERED that:

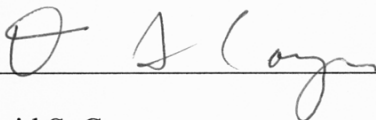
1. “Motion to Dismiss Plaintiff’s First Amended Complaint (as corrected) of Defendants Cevina, LLC and Chiman V. Patel,” Doc. 31, is administratively DENIED as moot without prejudice.

2. “Motion to Dismiss Plaintiff’s First Amended Complaint (as corrected) of Defendant Country Inns & Suites by Carlson, Inc.,” Doc. 33, is administratively DENIED as moot without prejudice.

5. The Clerk is directed to send copies of this Memorandum and Order to counsel for the parties; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: January 11, 2012

A handwritten signature in black ink, appearing to read "D. S. Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

